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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

SANTOS HERNANDEZ AND EMANUEL DE
JESUS LIEVANO,

Plaintiffs,

-against-

Case No. 20-cv-04026 (NCM)(SIL)

ROSSO UPTOWN LTD., MICHELE TIZZANO
S/H/A MICHAEL TIZZANO AND MASSIMO
GAMMELLA,

Defendants.

**PLAINTIFFS' NOTICE OF MOTION TO STRIKE THE ANSWER OF THE
DEFENDANT ROOSO UPTOWN LTD. AND FOR A DEFAULT JUDGMENT**

PLEASE TAKE NOTICE that, on a date and time to be determined by the Court, the undersigned, attorneys for plaintiffs Santos Hernandez and Emanuel DeJesus Lievano shall move before the Honorable Natasha C. Merle, United States District Judge, at the United States District Court, Eastern District of New York, 225 Cadman Plaza East, Brooklyn, New York 11201 for an order striking the answer of Defendant Rosso Uptwon Ltd. and entering default judgment against Rosso Uptown Ltd. pursuant to Federal Rule of Civil Procedure 55(b)(2). In support of this motion, Plaintiffs submit the annexed Memorandum of Law, the Declaration of Steven J. Moser, and the exhibits thereto.

A proposed order is annexed to this Notice of Motion.

Dated: Huntington, New York
August 15, 2024

Respectfully submitted,
MOSER LAW FIRM, P.C.



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